

On or about May 1, 1940, the United States attorney for the Eastern District of Washington filed a libel against 20 cases of vanilla extract at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about September 16, 1939, by Wadhams & Co. from Portland, Oreg.; and charging that it was misbranded. It was labeled in part: "June Brand Pure Extract Vanilla. Packed Expressly For The McClintock-Trunkey Co."

The article was alleged to be misbranded in that its containers (cartons) were so made, formed, or filled as to be misleading; and in that the statement of quantity of contents required by law to appear on the labeling was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices, in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

On June 1, 1940, the McClintock-Trunkey Co., Spokane, Wash., claimant, having admitted the allegations of the libel, judgment was entered condemning and forfeiting the product. It was ordered, however, that upon destruction of the cartons under the supervision of the Food and Drug Administration and the payment of costs of the proceedings, the product be delivered to the claimant.

#### SPICES

**1200. Misbranding of anise seed, nutmeg, poppy seed, cream of tartar, mustard seed, black pepper, and tea. U. S. v. 23 Dozen Boxes of Anise Seed, 23 Dozen Boxes of Whole Nutmeg, 11 Dozen Boxes of Poppy Seed, 35 Dozen Boxes of Cream of Tartar, 11 Dozen Boxes of Mustard Seed, 11 Dozen Boxes of Black Pepper, and 5 Cases of Orange Pekoe (Black) Tea. Default decree entered. Products ordered delivered to a charitable institution. (F. D. C. No. 1822. Sample Nos. 10481-E to 10487-E, incl.)**

The containers of these products were deceptive, the contents ranging in the various products from 60 percent to 78 percent of the capacity of the containers.

On April 18, 1940, the United States attorney for the District of New Jersey filed a libel against the above-named products at Passaic, N. J., alleging that the articles had been shipped in interstate commerce within the period from on or about December 22, 1939, to March 27, 1940, by B. Fisher & Co. Inc., from New York, N. Y.; and charging that they were misbranded in that their containers were so made, formed, or filled as to be misleading. They were labeled in part: "Astor Pure Anise Seed, etc."

On June 11, 1940, no claimant having appeared, judgment was entered ordering that the products be delivered to a charitable institution.